



CILC IN MOTION

ANNUAL REPORT 2008

CENTER FOR INTERNATIONAL
LEGAL COOPERATION

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Layout: Ruparo (Ivo Sikkema)
Printing: Ruparo, Amsterdam

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Introduction by the Chairman of the CILC Executive Board, Marten Oosting

2008 was for CILC a moving year in many aspects: new working themes and working areas in the field of international legal cooperation entered the CILC portfolio, new offices in The Hague and a new CILC Director. It resulted in the already dynamic working atmosphere of CILC moving up to a higher gear. This all worked out for the better: CILC actually concluded 2008 with a slight positive balance, due to well managed and professionally organized projects which were conducted by the CILC project managers. This has proven that CILC can live up to its expectations and that it is capable of meeting the challenges of international legal cooperation.

This is, however, not the exclusive merit of CILC alone. CILC could not have achieved this encouraging result without the support of its donors, the commitment of its partner organizations abroad and the around 60 Dutch and international experts who have participated in the diverse CILC cooperation modes during this year. Moreover, it is a result of the right chemistry between the highly motivated CILC staff, the committed CILC Executive Board and the valuable input by the CILC Board of Trustees. Especially concerning the latter I would like to underline the importance of the motivation of all Dutch professional legal organizations represented in the Board in supporting the CILC mission both in words and deeds. In this context I would like to take the opportunity to thank the outgoing chairman of the Board Bert Maan for his inspiring and experienced presidency. He remains committed to the CILC work in a great variety of projects, so no goodbyes here, but a warm-hearted and sincere 'thank you'. Meanwhile, I would like to welcome his successor, Joep

Verburg, President of the Court of Appeal of The Hague, who will introduce himself in this annual report.

Many internationally-oriented legal organizations have already found their way to The Hague Legal Capital. CILC is a natural part of this network and it was therefore decided that in 2008 CILC should move its offices from its former address at Leiden University to the centre of The Hague. This has taken place while at the same time maintaining the constructive and facilitating working relationship with the University concerning the internal CILC organization. I would like to express my gratitude and appreciation for the shared history of CILC and Leiden.

I wish CILC the best of luck and inspiration for 2009 and the years to come. CILC functions in an interesting time frame. The challenge will lie in the right motion at the right time at the right place, finding the balance between change and continuity. I wish the CILC donors, the CILC staff, the CILC experts and especially the CILC partner organizations abroad great wisdom, insight, the ability to be able to reflect as well as a great deal of stamina in their work in 2009. Remaining focused on our primary goal: justice for all.

Marten Oosting



Foreword by the CILC Director, Marie José Alting von Geusau

As has been known since Isaac Newton, objects are set in motion when they are attracted to each other. For CILC, 2008 proved to be a year 'in motion' in which the aspect of being or not being attracted played a significant role. The departure of CILC Director Kees Kouwenaar led to discussions as to how to best manage his 'legacy'. I am most grateful for the support and coaching of interim Director for half a year Eric Vincken who proved to be a crucial sparring partner in these discussions, besides his daily project work. The main issue was to embrace new concepts to promote the learning capacities of the CILC organization and to maintain the solid knowledge and experience gained over 23 years in the development of the rule of law. Together with the CILC staff, the CILC Executive Board and the CILC Board of Trustees, ample discussion sessions were held in order to find the right track for the further professionalization of the CILC work and to improve its financial and organizational stability. The outcome has been laid down in a CILC strategy for the coming years focusing on 1. strengthening CILC's identity as a legal centre for both experience and expertise, based on a demand-driven working method and a more coherent country and regional policy, 2. further professionalizing CILC's internal working procedures, 3. building strategic partnerships, 4. broadening its financial basis and 5. improving CILC's communication. Two working groups on CILC identity and fundraising were formed in order to elaborate these two crucial aspects for CILC's future. Meanwhile, a process has started within the CILC organization to consolidate the coherence of both internal and external CILC activities.

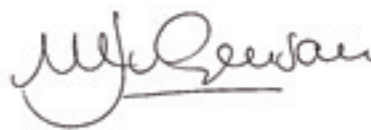
The CILC organization also moved ahead by adopting new working themes and working areas. CILC took the challenge of initiating a complex regional cooperation project in the field of enforcement law in the Western Balkans. A challenge due to a variety of elements: the nature of the subject itself, the high level of ambition involved in the project, the scope of the project with many actors and interests in seven different countries and, last but not least, the intention of bringing representatives from all countries to the same table. Moreover, CILC restarted its cooperation with the Supreme Arbitration Court of the Russian Federation concerning the optimization of the Russian legislation on the registration of legal bodies and private entrepreneurs. The involvement in the development of the rule of law in Uganda has been intensified by investing substantially in further support for the Law Development Centre which provides practical training for lawyers and the newly commenced support for the Judicial Studies Institute focused on training for judicial officers. The cooperation with Indonesia has been given a new impulse by a fact-finding mission to investigate the possibilities for intensifying collaboration on the legislative drafting services of the Indonesian Parliament and the Indonesian Ministry of Law and Human Rights. Discussions were started on a multi-disciplinary project on the innovation of the rule of law, together with The Hague Institute for the Internationalization of Law (HiiL), Microjustice and the European Academy for Legislation.

Further, in 2008 CILC broadened its perspective to the development of the rule of law in fragile states. CILC had already developed substantial experience in the Palestinian Territories and has made a start in intensifying this cooperation in the field of criminal justice. The opportunity to become involved in a human rights project in Afghanistan was immediately taken. New possibilities in the field of legal aid were being explored in Rwanda, Congo and Burundi. Supporting the rule of law in fragile states is a complex matter and demands patience, mechanisms to cope, committed experts and very motivated partner organizations. In some cases CILC already has a committed network and in other cases the existing network has to be enlarged. The feeling of reward in 2008 was nevertheless very promising and inspiring, thereby providing an ample stimulus to retain this new line of work and to expand CILC's activities in the years to come.

The most visible CILC motion in 2008 was the move from Leiden University to The Hague Legal Capital on 17 December 2008. Thanks to the financial support of The Hague Municipality and the detailed preparations by CILC's secretary Annemarie Woudstra, the move from Leiden to The Hague was smooth and quite comfortable, despite the usual upheaval with regard to libraries, cabinets, computers and offices. And now CILC is housed in modest offices within 10-minutes' walking distance from the central station, at 7 Koninginnegracht, the Queen's Canal.

In this annual report the reader will be informed about the CILC mission and strategy, the developments within the CILC organization and the progress of the different CILC projects in Europe, Asia and Africa. Furthermore, we have asked the new Chairman of the CILC Board of Trustees, Mr Joep Verburg, the former CILC Director, Mr Kees Kouwenaar, the international desk at the municipality of The Hague, one of the CILC assistant project managers, Ms Adeline Tibakweitira, CILC expert Mr Michiel Scheltema and Ms Vastina Nsanze, the rector of one of the CILC partner organizations in Rwanda, to give their view on CILC in motion. An interesting mixture of observations, support and advice. The main conclusion for my part is that there is a continuous strong demand for CILC products; if CILC did not exist, it should be invented.

CILC in motion in 2008: new attractions and perspectives.



About CILC

Mission statement

CILC (founded in 1985) is a Dutch-based non-profit organization that designs and implements rule of law programmes and projects. CILC operates in Europe, Asia and Africa and is supported by a network of mainly Dutch legal experts, partner organizations in the beneficiary countries and (inter) national donors. CILC focuses on legal cooperation aimed at a maximum impact for a just society in which human rights are respected. CILC works in a demand-driven manner; the local cultural and socio-political context is paramount. CILC seeks participation in multi-disciplinary and public private partnerships for innovation.

The rule of law – the principle that all persons and institutions in a society are bound by law is essential for a stable (inter)national community. It guards human dignity on the basis of three essential values: liberty, equality and solidarity. These values are not self-evident and need to be recognized, supported and reconfirmed by both the government and its citizens within the context of the legal system. The rule of law is closely related to human rights and good governance. The main building blocks for the rule of law are the independence of the judiciary, adequately functioning and counterbalancing legal institutions, professional legal capacity and access to justice. In practice, the development of the rule of law is a complex process that requires long-term relationships between the actors concerned as well as change agents and key qualities such as professionalism, timing and mutual trust and understanding.

The Netherlands has achieved a prominent position in international legal cooperation. The Dutch approach distinguishes itself by legal cooperation on an equal footing, enabled and

facilitated by three factors: 1. the Dutch, living in an open internationally-oriented society, are relatively well acquainted with other legal systems and international comparative law, 2. The Netherlands, as a relatively modest international player, is less inclined to impose its legal system, and 3. The Netherlands possesses high quality legal assets like updated administrative and civil legislation, experience in capacity building, court management, international law, mediation and law enforcement.

CILC's core business is to bridge legal demand and supply. This requires, alongside the above-mentioned Dutch approach and experience, a solid partner network in the beneficiary countries. CILC has a large network at its disposal, consisting of similar and professional organizations. CILC works to extend its network of mainly Dutch legal experts with experts from beneficiary countries. Whenever the opportunity occurs and the added value is paramount, CILC prefers regional cooperation over bilateral cooperation. CILC's main partners are to be found in Central and Eastern Europe, the Caucasus, the Mediterranean region, Sub-Saharan Africa and Indonesia. Meanwhile, CILC wants to respond to new international developments and needs and it is actually expanding its activities to fragile states and the Dutch language-related partners.

The CILC organization consists of three layers: the Board of Trustees presided over by the President of the Court of Appeal of The Hague and consisting of representatives of legal professional organizations, international legal organizations and law faculties. The Executive Board is presided over by a member of the Council of State and a former 'National Ombudsman' and consists of legal experts from the judiciary, legal practice, the

academic world and those with a governmental background. The CILC staff consists of about 15 people: the Director, (senior) project managers, assistant project managers and financial/organizational personnel at the centre of The Hague. CILC is a body of knowledge and expertise in the practical implications of the development of the rule of law. CILC delivers project management, has professional insight in the donor community and works fluently in the English, German, French, Spanish, Russian, Arabic and Farsi languages. CILC has a large network of outstanding Dutch and a growing number of international legal experts at its disposal.

CILC strategy

1. Advocating the correlation between the rule of law, good governance and human rights and connecting with the international debate on access to justice and legal empowerment.
2. Amplifying the actual CILC network with partner organizations in Central and Eastern Europe, the Caucasus, the Mediterranean region, Sub-Saharan Africa and Asia and extending CILC's radius of action to fragile states, and to the Dutch language-related countries and/or regions.
3. Striving for multi-disciplinary and private public partnerships in order to improve CILC's organization (the demand-driven CILC working methods and fundraising) and to achieve the maximum impact of CILC's activities.

Mr Joep Verburg

President of the Court of Appeal of The Hague and Chairman of CILC's Board of Trustees



"My ties with CILC can be traced back to the period 1993-8 when I was the Director of the Dutch Training and Study Centre for the Judiciary (SSR) in Zutphen and was therefore automatically a member of CILC's General Board. In the 1990s, there was a growing need for the significance and meaning of an independent judiciary in the new states in Eastern Europe. CILC was active in the Matra programme and was running a number of projects in some of those states. I became involved as an expert and I visited countries like Moldova, Albania, Romania, the Czech Republic and Slovakia.

My ties with CILC were again strengthened in 2008. As President of the Court of Appeal in The Hague, the CILC Board asked me to succeed Judge Bert Maan as the Chairman of the Board of Trustees. I was honoured and pleased by this invitation and duly accepted. CILC is strong in bringing the right people together in places where the rule of law is still weak and vulnerable, but where the notion is also felt that a fair and independent system of the rule of law is a predominant condition for living in a decent and prosperous country with no fear and which is bereft of public violence.

In a meeting of the Board of Trustees in which I recently participated, we discussed the strategic memorandum of CILC. I was impressed by the self-confidence, the vitality and the power of that memorandum which provides an excellent basis for CILC's activities from now on. Whatever direction CILC will go in the future, it should preserve the label of being a valued, reliable and lasting partner in the process of strengthening the rule of law."

2008 in brief

Project activities

In 2008 the CILC project portfolio decreased slightly compared to 2007. The main explanation for this is that some projects started somewhat later than planned, like for instance the unexpected late approval of a project in Bulgaria, and that others have been less intense than predicted, like the Law Development Centre in Uganda for which more research was initially needed. About half of the CILC acquisitions have been completed successfully; the unsuccessful other half were mainly acquisition tenders at the European Commission in consortia in which CILC did not take the lead. The CILC project activities in 2008 can be divided into new, ongoing and finalized projects.

New projects

New working perspectives have arisen in the Western Balkans, Bulgaria, Uganda and Afghanistan. These new projects are the expression of three new developments. First, the incorporation of a new CILC area for legal cooperation, namely enforcement law. In most countries this part of the rule of law is either underdeveloped or is not very effective because it is part of the public sector. A growing number of countries are becoming interested in implementing the model of a private working method of law enforcement for efficiency reasons. Dutch expertise in that respect is quite welcome. Alongside the actual input in the Western Balkans, also other regions are becoming interested. The second development is the strengthening of already existing relationships and the effectiveness of CILC's involvement in the development of the rule of law. This is the case in, for instance, Uganda, where CILC was given the opportunity in 2008 not only to support the Law Development Centre which provides practical legal training for law students and legal practitioners, but also the Judicial Studies Institute for the training of judicial officers.



The Van Steenis Building in Leiden, CILC's offices from 1999 until 2008

The third new development is the more outspoken commitment of CILC to support the rule of law in fragile states and the connection between the rule of law and human rights. The Afghanistan Human Rights project has given CILC the opportunity to extend both its own expert network as well as its relationships with ministries and civil society in the field of both capacity building in the legal sector as well as the promotion and protection of human rights.

Ongoing projects

Once the acquisition phase is finalized and a project is incorporated into the CILC portfolio new challenges appear. Usually it is fairly uncertain whether a project will develop as actually foreseen. This can be influenced by both external and internal factors, sometimes depending on societal and/or political developments, in other cases on personal chemistry or on the position of the donor. This process of project management is very intense and time-consuming. It requires sensitivity concerning the changing environment and project conditions, well developed and trustworthy relationships with the partner organizations, particular attention to organizational

and financial details, and the capacity to delegate and communicate with all the different partners involved. The time-consuming aspect mainly catches the eye.

The CILC portfolio of ongoing projects in 2008 was diverse. A couple of these projects required fairly intense treatment. For instance, the project concerning the strengthening of the law faculties of the Universities in Kigali and Butare in Rwanda. On the other hand, there were also projects in which CILC was forced to postpone its activities, because of security problems like in Georgia, or the political process of legislation like in Azerbaijan. But all projects are mostly still on track, thanks to the devoted CILC (assistant) project managers and the highly committed partner organizations.

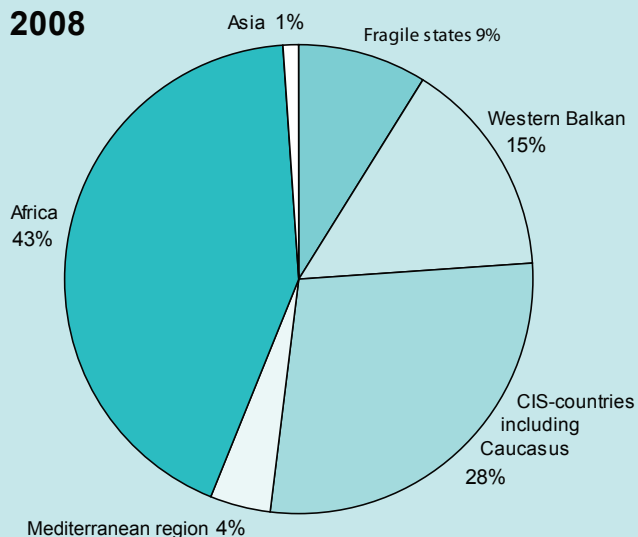
Closed projects

In 2008 several projects were concluded in Central and Eastern Europe (in Croatia, Poland, Ukraine and the Russian Federation) and in Sub-Saharan Africa (in Senegal, Ethiopia and Mali). The overall view is that the CILC contribution has been highly appreciated and effective. The success is the result of the following basic aspects: projects designed on the basis of the actual demand of the beneficiary, teamwork between CILC project managers with their cultural and organizational skills and highly qualified experts, process management and committed partner organizations. The results of the interventions vary: a new civil code, the communication of legislation to the public, the organization of crucial actors within the rule of law system to combat corruption and the development of paralegal services.

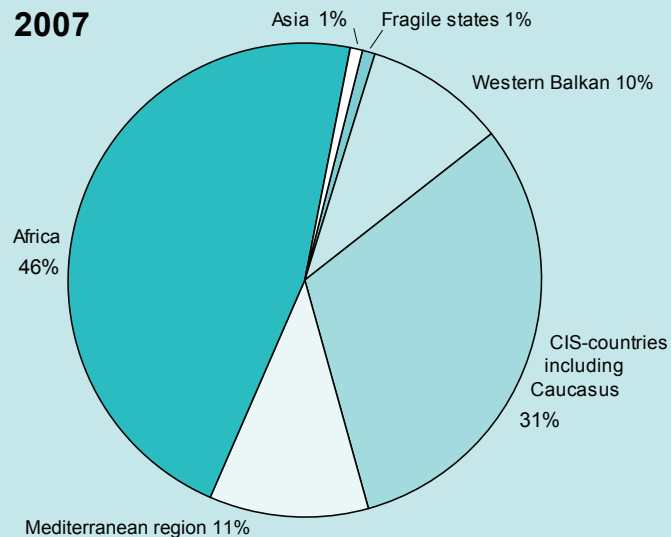
Cilc Projects

Project allowances 2008: CILC commitment to fragile states and the Western Balkan has increased

2008



2007



The CILC financial administration, consisting of Alenka Bajc, Lenie van Rooijen and Albert van Rijn (replacing Ewout Sutorius), has been the driving force behind the project administration and planning.



Alenka Bajc



Lenie van Rooijen



Albert van Rijn

Main Events

The main events in 2008 were the China seminar in January and the farewell seminar for the CILC Director, Kees Kouwenaar, in March 2008. The seminars were well attended and the debate was substantial and of a high level. Moreover, CILC received some delegations in Leiden in the context of its projects. Russian delegations visited the Netherlands to discuss pledge law and state liability in January and May 2008. At the request of a local UNIFEM/UNDP representative a study visit was arranged for a group of judges and policymaking officials of the Moroccan Ministry of Justice in December 2008 so that they could become acquainted with the Dutch legal system.

Organization

Within CILC an extensive debate has taken place on the new directions which should be taken in order to improve the efficiency and transparency of CILC's work. In 2008 a start has been made in increasing coherence between the four functional groups within the organization: the Director/secretariat, the (senior) project managers, the assistant project managers and the financial administration. The responsibilities of the different groups have been clarified and different roles and tasks have been assigned. The main instruments consist of yearly personal management meetings, monthly financial deliberation, bilateral updates between the Director and the (assistant) project managers, and the weekly integral CILC meetings on

Monday mornings. This structure has to support the learning capacities and the efficiency and transparency of the CILC organization. It was, and still is, not an easy task because of the complex and internationally-oriented CILC network of experts, partner organizations and the great variety of donors with different requirements. Moreover, an important part of CILC's work is carried out abroad with only e-mail (if it works!) and mobile phones to communicate with each other.

CILC staff

In 2008 the CILC motion was also felt and expressed on a personal level. In some cases it was a natural step after many years of CILC commitment. In other cases it took the form of necessary steps in order to address the need for personal development in a better way. Their farewell has been warm hearted and in good harmony. CILC is fortunate to have extended its network of CILC ambassadors to the VU Amsterdam's Centre for International Cooperation, Partos, the European Cultural Foundation, the Women's Global Network for Reproductive Rights and the Institute of Legal Practice and Development in Rwanda. CILC is pleased to introduce the new assistant project managers Hilde Morre for Central and Eastern Europe and Ingrid de Haer for French-speaking Africa.

Moving to The Hague



Koninginnegracht, The Hague

Mr Bob Lagerwaard and Mr Geert Dijkstra
International Desk at the Municipality of The Hague

“CILC as well as The Hague are in motion. CILC is thus in the right place in The Hague. During the last few decades we have been able to attract a considerable number of governmental and non-governmental organizations and knowledge institutions to The Hague Legal Capital, as the former Secretary-General of the United Nations, Boutros Boutros Ghali, called it. The Hague, the City of Peace and Justice, as we like to call it as well.

About four years ago we started discussions with CILC's former Director, Mr Kees Kouwenaar, on a possible move to The Hague since CILC might fit perfectly well among other (new) international organisations and legal institutions. He was convinced of the added value of a transfer to The Hague, but such a step takes time and also necessitates discussions with major stakeholders, to start with the CILC staff. Over the years we kept close contact and discussed it regularly. When Marie José Alting von Geusau took over as CILC's new Director we gladly continued and intensified the discussions. And in 2008 it really happened!

The City of The Hague is proud to host an important organisation like CILC. The added value of CILC to The Hague legal community is enormous. When we visited Marie José at the brand new office earlier

this year, she gave the best reason we could imagine to justify the move to The Hague. “Since we are based in The Hague”, she said enthusiastically, “all kinds of people come to our office spontaneously, without making an appointment; something that hardly happened at our former location”. That is exactly the argument we always use when talking to possible prospective candidates: The Hague is an international network city where the various groups – governmental organisations, non-governmental organisations, knowledge institutions, embassies and Dutch

governmental bodies – know where to find each other in order to realise projects that help to make the world a somewhat better place. That is what The Hague, the City of Peace and Justice, is all about.

We wish CILC and its staff great success in their endeavours. We will maintain contact with the organisation and are ready to assist whenever needed. Looking at the prospects for the future development of The Hague as a legal network city, we are convinced that CILC will play a key role.”



CILC projects

Central and Eastern Europe



BULGARIA

Supporting the privatized system of civil enforcement

A law on Private Enforcement Agents entered into force as of 1 September 2005, which was quite innovative in the region in which court-based enforcement systems are predominant. In order to implement this law the Bulgarian Chamber of Private Enforcement Agents was established in November 2005. CILC supports the Chamber in its efforts to improve the legislative framework for the functioning of private enforcement agents, to increase the professional competences of private

enforcement agents and to increase public awareness about and the public trust in the private system of enforcement in Bulgaria. Essential elements in the strengthening strategy are the new Code of Ethics that accompanies the new working method and the commitment of banks, media and judges. Due to the introduction of a new software system at the very beginning of the project in September, a revised Code of Ethics for private enforcement agents and their training could be completed within the context of this project.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs

The total budget is € 576,410



CROATIA

Conciliation in Individual Labour Disputes

This project has been implemented by CILC in close cooperation with the Croatian Governmental Office for Social Partnership and the Croatian Ministry of Justice. It started on 1 March 2006 and was completed on 15 March 2008. The project has developed a system of conciliation in individual labour disputes that is workable, sustainable and cost-effective in the present situation of Croatia's economy, its legal system and its social relations and at the same time is in line with developments and best practices in the EU countries. The training programme has resulted in an important resource of well trained mediators, working either in-company or for trade unions or employers' organizations. In addition, the training programme has resulted in a core group of eight well trained and motivated trainers who are committed to taking the mediator profession further. They will be involved with the Governmental Office for Social Partnership in the further training of mediators in the regions of Croatia. The set-up of the project with the strong involvement of both employers' organizations and trade unions has resulted in a strong consensus between the social partners in Croatia on the use of alternative dispute resolution in individual labour conflicts. Furthermore, results within the pilot projects have shown that conciliation in individual labour disputes is indeed possible in Croatia. Both trade unions and employers' organizations are now committed to the further development of a system for national implementation.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs

The total budget is € 299,915



MACEDONIA

Supporting the Macedonian Judicial Reform Strategy

This project is aimed at strengthening the key judicial

institutions in Macedonia by focusing on the implementation of the so-called Judicial Reform Strategy. One of the areas of JRIP's focus is enforcement law. In 2008, an expert mission provided advice on how to make the supervisory

CILC Central and Eastern Europe team



- *Senior project manager Eric Vincken*
MA in Russian studies specializing in Soviet and Russian law; fluent in German, English and Russian; extensive working experience in the former Soviet Union, Vietnam, Indonesia, Central Europe and the Balkans, including a three-year stay in Moldova.



- *Senior project manager Anne-Marie Heemskerk*
MA in the Russian language and literature; fluent in English and Russian. Extensive working experience in the former Soviet Union, Central Europe and Central Asia. Team member until April.



- *Freelance project manager Ko Winters*
MA in Russian Philology; fluent in English and Russian; extensive working experience in the Russian Federation and Estonia. Team member from March until June.



- *Assistant project manager Dilia Ham*
MA in Central and Eastern European and Russian studies; fluent in English, Russian, German and French; working experience in Ukraine. Team member until February.



- *Assistant project manager Hilde Morre*
MA in Russian studies, specializing in Russian law; fluent in English and Russian; studying law. Team member from May onwards.



- *Office manager Annemarie Woudstra*
Bachelor's degree in Child Welfare and Pedagogy (HBO-J) and in English; fluent in Dutch and English; working experience in several companies, the International Institute of Social History and Humanitas.

and monitoring mechanisms for enforcement agents more effective. One of the recommendations of the expert mission was that greater efforts should be undertaken in the area of professional training for those entrusted with supervision. In 2009, this recommendation will be implemented with the support of the World Bank. Also in 2009, the training of newly appointed private enforcement agents will be supported by the project.

Supported by USAID

The total budget is USD 65,000



MONTENEGRO

Supporting the Judicial Training Centre in Podgorica

CILC provided institutional assistance to the Judicial Training Centre (JTC) so as to meet the most urgent training needs in 2008. Major achievements in 2008 include the provision of advice on the improvement of the JTC strategy and internal procedures. For this purpose a delegation from the JTC, thanks to an Estonia-based CILC expert, also visited the Estonian Law Centre in Tartu, the Estonian institution which is responsible for the training of judges and prosecutors and which was a partner of CILC in a twinning project some years ago. Furthermore, a number of training courses on court administration for court presidents, administrative law and international cooperation in civil and criminal matters were organized. Finally, the project supported the upgrading of JTC equipment (such as new computers and a network printer) and the preparation of a number of JTC publications (such as a compilation of the case law of Montenegro's Administrative Court and the Opinions of the Consultative Council of Judges at the Council of Europe). Two more courses on administrative law and maritime law are foreseen in 2009.

Supported by the Dutch Embassy in Belgrade

The total budget is € 194,820.



POLAND

Support for the drafting of the new Civil Code

At the initiative of Poland's Civil Law Codification Commission this project started on 1 January 2005 and ended on 1 July 2008. The aim of the project was to assist the Civil Law Codification Commission in preparing the foundations for an entire recodification of Poland's Civil Code. In the course of the project, Dutch and other European experts provided expertise in many areas of the Civil Code by means of written expert opinions and working meetings in Warsaw. In addition, the project supplied the Commission, at its request, with relevant legal literature. In 2008, a working meeting dealt with the issue of specific contracts (e.g. complex financial services) and more in particular with the question whether they have to be codified in the Civil Code or in other legislation. On 18 and 19 June 2008, the Ministry of Justice hosted the closing conference in Warsaw during which the relevance of the Common Frame of Reference for the Polish legislator was discussed.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs

The total budget is € 502,208



RUSSIAN FEDERATION

Promoting the legal protection of Russian citizens and companies through a Legislative Framework

This project took place from 1 January 2005 until 30 June 2008 and was aimed at strengthening Russia's legislation in the areas of civil and administrative procedural law and thereby the legal protection of individual citizens and companies. CILC's partners in Moscow were the Presidential Council for the Codification and Improvement of Civil Legislation (through its executive secretariat at the Research Centre for Private Law) and the Supreme Arbitration Court. The Dutch expertise in this respect is especially relevant because it draws

upon the Netherlands' recent experience with the codification of the Dutch Civil Code and the Dutch General Administrative Law Act. As a result, new drafts of the law on obligations, corporate law and property law and of administrative procedural law in economic cases were produced for submission to the State Duma.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs. The total budget is € 528,394

Mr Michiel Scheltema

CILC expert in several projects in, among others, Indonesia, Russia, Georgia, and Azerbaijan, former Chairman of the Advisory Council on Government Policy; former State Secretary for Justice; Emeritus Professor of Administrative Law; Chairman of the Asser Board.

"My first contacts with CILC date from the time when the institute was mainly working in Indonesia. I was asked to participate in a mission to evaluate the results of projects dealing with assisting the judiciary. A strong feature of that project was that it was linked with other projects concerning legislation and concerning the law faculties of a number of universities. I have seen on several occasions that legislation in a particular country is drafted with the help of experts from another country – e.g. a common law country – while the judiciary are trained by experts from yet another different background. It can turn out to be very counterproductive when judges are trained according to a tradition that is different to that of the drafters of the legislation.

More recently I have been working as an expert on administrative law in Russia, Georgia and Azerbaijan. The project to introduce a modern system of administrative law in Azerbaijan has a broad perspective: it deals with legislation and with the training of judges, civil servants and instructors at the university. The adoption of the new legislation and the introduction of administrative courts – all foreseen this year – would be an important step forward in modernizing the legal system of Azerbaijan. CILC has worked closely and successfully with the German GTZ in this respect.

One of the strengths of CILC, in my opinion, lies in organizing projects: it has the knowledge and the contacts to manage a project in countries that are in the process of modernizing their legal systems. The projects that are most successful are those in which a long relationship between the partners is maintained: legal developments take a great deal of time, and consequently short projects are much less successful in the field of law. The Russian civil code project is based on a long-lasting

Improving access to legal assistance for Russian citizens

CILC assists in the strengthening of the Russian bar and the legal aid mechanisms in Russia, perceived as being two core elements of access to justice. While the bar is insufficiently regulated, legal aid reform still lacks an adequate policy based on consensus among the stakeholders. Two Moscow-based organizations, Legal Studies.Ru and the Moscow Office of Public Interest Law Initiative, manage the project. In 2008,

relationship, and is an example of this great success.

CILC has a long history of projects in many countries. For that reason it is in a strong position to develop best practices in the way experts can best carry out their work. At this moment in time large investments are being made in developing the law and strengthening the rule of law in many countries, but unfortunately the successes are not always equivalent to the money that is spent. One of the reasons for this is that legal experts tend to think that the law that they should introduce in another country is the law they are used to at home: their own legal system is the only system they know. But different circumstances require different laws. Dutch experts have the advantage that they know various languages and different legal systems, so they can offer choices. CILC should help them to know what choices are most effective in what circumstances."



the expansion of the Chamber of Lawyers from the local to the federal level significantly reinforced the Russian bar as an independent regulator of the legal profession. Also the awareness raising concerning a nationwide legal system has increased within the Ministry of Justice and the Chamber. Finally, the regulatory framework for the operation of the legal profession has been improved. Recommendations on draft laws and guidelines for the bar and on legal aid which has to meet international standards are expected by the end of 2009. *Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs*

The total budget is € 629,864

Optimizing the Russian legislation on the registration of legal bodies and private entrepreneurs

In Russia many economic disputes have arisen due to the insufficient law on the registration of legal bodies and private entrepreneurs. In order to improve the legal safeguards for business actors in the field of state registration, this 18-month project aims to amend the legislation and practice of the registration process. CILC works in close collaboration with the Supreme Arbitration Court of the Russian Federation, which is the highest judicial body for the resolution of commercial disputes as well as the authority that elaborates proposals for law amendments. Stakeholders from many sides will be involved: the Federal Tax Service – the body which is entrusted with the state registration of legal bodies, business actors, NGOs as well as academics. The programme includes roundtable discussions between the stakeholders and the Dutch experts and a study visit to the Netherlands by the working group from the Supreme Arbitration Court, thereby favouring a comparative basis for the recommendations for law amendments.

Supported by the Dutch agency for international business and cooperation (EVD)

The total budget is € 129,962



UKRAINE

Supporting the implementation of the new Civil Code

The aim of the project, which began in January 2005 and ran until 1 April 2008, was to assist key Ukrainian institutions in the implementation of the new Civil Code, which came into force on 1 January 2004. Training programmes and materials were developed for judges, notaries and advocates. The major achievements in 2008 were the publication of practical manuals for judges and notaries, as well as the organization of the final conference in early February 2008. During the final conference, the prospects for the further development and implementation of civil law were discussed and the impact of the project was assessed by the key target groups. Representatives of the Ukrainian Ministry of Justice, the Supreme Court and the Academy of Advocates highly appreciated the project's assistance in the process of bringing the new Civil Code to life in daily practice and spoke about their desire to see further activities being undertaken in this direction. The main added value of CILC was process management; keeping pressure on progress; monitoring deadlines; and facilitating.

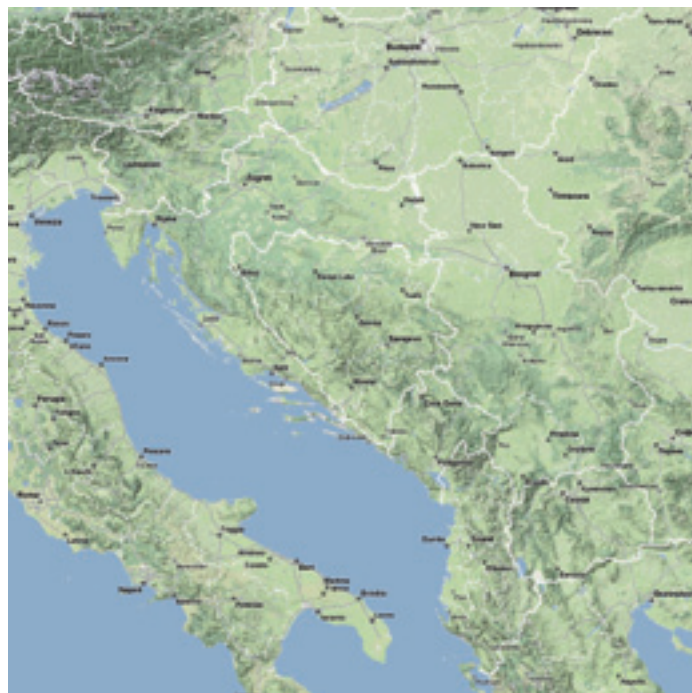
Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs

The total budget is € 670,526

WESTERN BALKANS

Balkans Enforcement Reform Project (BERP) – Inception Phase

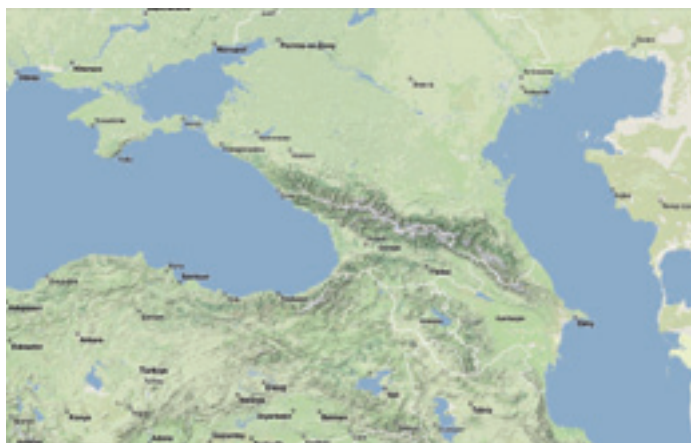
In a joined initiative, CILC and the Union Internationale des Huissiers de Justice (the international professional organization of bailiffs and judicial officers) have been working, since June 2008, on providing support for the reform of enforcement law and strengthening regional cooperation in enforcement in the countries of the Western Balkans (Albania, Bosnia-Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia). A team of CILC experts toured the region in July and August. The team concluded that the timing for starting a project which has the objective of ensuring a more efficient and effective functioning of the systems of enforcement in civil, commercial and administrative matters in Albania, Bosnia-Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia on a national level and to enhance the



cooperation between these systems at a regional level is more or less perfect. Even though some countries have adopted new enforcement laws some years ago or even recently, all of them are now in the process of making modifications to the existing systems (e.g. Bosnia-Herzegovina, Macedonia) or discussing possibilities to introduce alternatives (as in e.g. Albania, Montenegro, Croatia and Serbia). This is against the background of the recognition that adopted solutions in the past did not bring the desired results and that more radical solutions are needed. Besides the conclusion that the timing of BERP is more or less perfect, another important, and maybe even the most important conclusion of the inception phase, is that, as all countries – with the exception of Albania – share the same past – the problems they are faced with at present are equal. This even holds true for Albania. As in general the problems and challenges of the seven individual countries are identical, most of them can to a certain extent also be addressed through a regional approach. In this regional approach, problems and solutions will be jointly discussed, international best practices and standards will be presented and key people from each country will be informed and trained as national resource persons and trainers. Then for each of the individual countries it has to be seen per component whether there is an additional need for further support. This will depend on the actual state of affairs per country and the involvement of other donor projects in the relevant country. In countries where other donors are involved in the sector, strategic partnerships will be established with these donors. If these donors are absent, BERP will itself be more involved in the country programmes. The result of the inception phase was a comprehensive inception report and a revised project document. Both documents were submitted to the Netherlands Embassy in Belgrade in October 2008. On the 12th of December 2008 the Embassy granted the € 2,476,186 subsidy for the implementation phase of the project, which will run from the 1st of January 2009 until 31st of August 2011.

*Supported by the Dutch Embassy in Belgrade
The budget for the inception phase is € 92,521.*

The Caucasus



AZERBAIJAN

Administrative Procedure Code in Azerbaijan: introduction and implementation

CILC assists in enhancing the administrative law reforms in Azerbaijan: support is being given to the drafting of the Administrative Court Procedures Code. Meanwhile a commentary on the code is being developed, training for the legal professionals is being organized and there is also an awareness campaign to inform the public about the administrative reforms. The current project amounts to tripartite cooperation between an Azeri drafting working group, the German GTZ and CILC. Depending on the required expertise, the Azeri team has constantly and successfully worked on developing the code. In 2008 two consultations took place in the Netherlands (there were also consultations with German experts in between) that were very fruitful and constructive. However, the draft code has to be approved by the Azeri Parliament and this will take place in several readings. In its second reading, in April 2008, the draft was not approved. The structure of a two-tier administrative jurisdiction provided

for in the code would allegedly contradict articles 131 and 132 of the Constitution of the Republic of Azerbaijan. Those articles describe the roles and functions of the Court of Appeal and the Court of Cassation. According to some Members of Parliament, those articles would not allow for a Court of Appeal or the Court of Cassation of Azerbaijan to serve merely and exclusively as a first instance court in a certain case, be it an administrative, criminal or civil case. They deemed that the suggested structure in the code is therefore unconstitutional. A third consultation took place in The Hague in December in order to assist the working group in preparing the third reading.

The development of the commentary on the Administrative Court Procedures Code is in progress and will be finalized shortly after the adoption of the code. Within the framework of the 'train the trainers of civil servants' project, three seminars took place. The popularization campaign started rather modestly in 2008 with two short brochures and a TV programme to which Professor Scheltema contributed.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs. The total budget is € 389,991

CILC Caucasus team



- *Senior project manager Abdeljalil Taktak*
MA in international law and magistratura at the Pushkin Institute of the Moscow State University; fluent in Arabic, Dutch, French, English and Russian; international experience in Africa, the Middle East and Eastern Europe.



- *Assistant project manager Dilia Ham*
MA in Central and Eastern European and Russian studies; fluent in English, Russian, German and French; working experience in Ukraine. Team member until February.



- *Assistant project manager Hilde Morre*
MA in Russian studies, specializing in Russian law; fluent in English and Russian; studying law. Team member from May onwards.



GEORGIA

Improving the human rights situation through upgrading the mental health care and inclusive education

In 2007, a new Law on Psychiatry was adopted in Georgia. In this project CILC's particular focus will be on the law's provisions on involuntary admissions to psychiatric institutions. A second important component of the project deals with inclusive education. Next to drafting policy papers and a legal analysis, the project will provide training for advocates, judges and medical professionals on psychiatric care and inclusive education, and the alignment of legislation with EU standards. In cooperation with the project partners, the Global Initiative on Psychiatry Tbilisi (GIP) and the Georgian Health Law and Bioethics Society (GHLBS), CILC successfully organized a launching conference for all the stakeholders at the Medical Faculty in March. This paved the way for an inception phase whereby all project activities were rediscussed and agreed with the Georgian stakeholders. As it turned out that the Ministry of Education had already started cooperating on a Strategy Plan with Save the Children, which also deals with inclusive education, CILC shifted its focus to complementing the initiated Strategy Plan by providing information on the legal framework. Despite the unrest in Georgian society because of the Russian invasion in August 2008, CILC's partners succeeded in developing a situational analysis of the Georgian legislation in the field of psychiatry which was submitted to Parliament's Health Care and Social Affairs Committee. That committee's reaction is still awaited.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs

The total budget is € 531,769

Mr Kees Kouwenaar Former Director of CILC



"For me, CILC is an organisation that shows how development cooperation may work in a very practical way, that means in a way that effectively brings together the needs of the people in developing and transitional countries, on the one hand, and the efforts and expertise of active professionals from Western countries on the other. A good example is the project with the Law Development Centre (LDC) in Uganda. At the start of the project, CILC's project manager was able to convince the LDC staff not to rely on the consultants but – on the basis of the consultants' analysis – to choose their own procedures. As a result, when I met them some 18 months later, the LDC staff told me that they really felt that they were the owners of the project.

I succeeded CILC's founder and first Director Jan van Olden in 2002, initially only temporarily. I very much enjoyed working at CILC, but I left in 2008 because I was given the opportunity to make a new fresh start at the Vrije Universiteit in Amsterdam as Director of the Centre for International Cooperation. It was rewarding that at my farewell seminar CILC had been able to gather together all the representatives of the Dutch legal sector which made it clear that CILC's work is highly esteemed.

What comes to mind with 'CILC in motion'? First of all, CILC's move to The Hague, which is a very prudent step since it is the Legal Capital. Further, a number of new employees have recently joined CILC, which I consider to be an opportunity to blaze a new trail. Nevertheless, I would allow CILC to have more stability, also financially. For the future, I hope that CILC will play a central role in bringing several European initiatives together with regard to the strengthening of the rule of law in developing and transitional countries. Based in The Hague, of course!"

The Mediterranean region (MEDA)



JORDAN

Supporting the Development & Implementation of National Policies, Strategies and Legislation related to Human Rights and Good Governance in Jordan

CILC is a partner in a consortium led by the German ICON which was awarded this EuropeAid project in August 2008. The overall objective of the project is to set the basis for strengthening the institutional capacity of the Judicial Institute of Jordan and to build up the professional ability of Judges in the area of human rights. Besides, the project aims to lay the foundations for strengthening the capacity of the National Centre for Human Rights through the incorporation of international human rights treaties and standards into Jordanian legislation, as well as supporting the penal reform strategy in line with international standards.

Supported by the European Commission

The indicated maximum budget is € 2,000,000



MOROCCO

Supporting the implementation of the new Family Code, Mudawwana 2004

CILC supports the implementation of the newly adopted Moroccan Family Code in close cooperation with the Ministry of Justice of the Kingdom of Morocco, the 'Institut Supérieur de la Magistrature', 'La Fédération des associations et unions de Jeunes Avocats Marocains' and the 'Union de l'Action Féminine'. The ultimate goal of this cooperation is a proper understanding and application of the new Family Code by legal professionals and the general public. This is being promoted by conferences for judges, the development of training curricula for court staff and advocates, train the trainers programmes for court staff and young advocates and drafting a booklet explaining the Mudawwana for secondary school pupils. In 2008, the establishment of the various courses for the administrative staff was well on track and it is expected to be finalized by early 2009. While Moroccan experts have taken the lead in the drafting, CILC's international experts

assured technical and substantive feedback during the various bilateral consultations. Once developed, the four courses will be used to train approximately 25 future trainers. A first draft of the booklet on the vulgarisation of the Mudawwana was ready by November 2008, the fifth anniversary of the introduction of the Mudawwana. The conferences for judges are expected to take place in 2009 and 2010. As the cooperation with 'La Fédération des associations et unions de Jeunes Avocats Marocains' did not lead to any fruition in 2008, CILC suggested cooperation in 2009 with another partner on training Moroccan advocates i.e. the Regional Bar Association of Rabat which has demonstrated its eagerness to cooperate with CILC on developing the planned courses for advocates and on conducting the train the trainers programme.

Supported by the MATRA programme of the Dutch Ministry of Foreign Affairs

The total budget is € 597,443

CILC MEDA team



- *Senior project manager Abdeljalil Taktak* MA in international law and magistratura at the Pushkin Institute of the Moscow State University; fluent in Arabic, Dutch, French, English and Russian; international experience in Africa, the Middle East and Eastern Europe.



- *Assistant project manager Ingrid de Haer* Bachelor's degree in Economics and Management (HEAO); fluent in Dutch, English and French; working experience as a senior relocation consultant at Voerman International. Team member from May onwards.



- *Office manager Annemarie Woudstra* Bachelor's degree in Child Welfare and Pedagogy (HBO-J) and in English; fluent in Dutch and English; working experience in several companies, the International Institute of Social History and Humanitas.



TURKEY

Strengthening the capacity of the Turkish Judiciary in European law

After a lengthy inception phase, the Turkish Justice Academy in Ankara, the training institute for Turkish magistrates, and CILC agreed to prematurely terminate their efforts in cooperating on strengthening the capacity of the Turkish Judiciary in the field of European law. The Justice Academy lacked the personnel and financial means to be able to implement and absorb the foreseen activities. Following intensive consultations in late 2007 and early 2008 between the various related institutions in the Netherlands (i.e. the Netherlands Council for the Judiciary, the Ministry of Justice, the Agency for International Business and Cooperation and CILC), the project was revived. The Turkish Ministry of Justice represented by the Department of Training and the Directorate General EU Affairs engaged as the new beneficiary and counterpart of the project. Based on further consultations between the Ministry and CILC, new topics for the foreseen five training courses were selected: Competition Law, European Criminal Justice, Human Rights, Introduction to European Institutions and European Law. In April, a kick-off meeting was organized at the Turkish Ministry of Justice which paved the way for intensive cooperation between the various joint working groups entrusted with establishing the various courses. Work on the courses is in progress and the first drafts are being developed. *Supported by the Dutch agency for international business and cooperation (EVD). The total budget is € 500,000*

Fragile states



AFGHANISTAN

Assisting Afghanistan in preparing its UPR human rights report

Reporting on the overall status of human rights in Afghanistan is a demanding task, not least in light of the present conditions and resources available to the Government of Afghanistan, and it involves different stakeholders including line-ministries and non-governmental actors. Afghanistan is facing a wide

CILC Fragile States team



- *Senior project manager Abdeljalil Taktak* MA in international law and magistratura at the Pushkin Institute of the Moscow State University; fluent in Arabic, Dutch, French, English and Russian; international experience in Africa, the Middle East and Eastern Europe.



- *Freelance project manager Ahmad Popal* MA in international law at the Moscow State University and in development studies at the Institute of Social Studies; working experience as an interpreter and trainer; fluent in Farsi, Pashto & Dari, Russian, English and Dutch. Team member from December onwards.



- *Assistant project manager Hilde Morre* MA in Russian studies, specializing in Russian law; fluent in English and Russian; studying law. Team member from May onwards.



- *Assistant project manager Adeline Tibakweitira* studied law at the University of Dar es Salaam, Tanzania, LL.M. in business and trade law at the Erasmus University Rotterdam; fluent in Swahili, English and Dutch.

range of problems in political, social and economic areas after the fall of the Taliban regime. Nevertheless, the country, in collaboration with the international community, has managed to accomplish a number of important achievements. A whole new political system has been installed based on a new constitution and the legal and judicial systems have been reformed. However, there are still key challenges, including the existence of extensive corruption and a lack of capacity in government institutions, contradictions between a number of statutes and the Constitution, inadequate resources for citizens, a lacking human rights culture and a failure to implement transitional justice. The support by CILC includes technical human rights assistance in drafting the report, the facilitation to bring all stakeholders together, as well as support for the secretariat located at the Ministry of Foreign Affairs that is in charge of coordinating the report and communicating this process to the public. The first workshop with ministries and civil society took place in Kabul in December.

Supported by the Dutch Embassy in Kabul

The total budget is € 158,716



PALESTINIAN TERRITORIES

Empowering the Palestinian Judicial System (Seyada)

Seyada (an Arabic acronym for sovereignty) aims at strengthening several Judicial Palestinian institutions such as the Judicial Training Institute, the High Judicial Council and the Constitutional Court. Moreover, assistance is being provided for the introduction of an Administrative Jurisdiction. Furthermore, a permanent training mechanism for judges, public prosecutors and court staff will be developed through developing various curricula and training future trainers and providing the necessary equipment and working tools. The year 2008 witnessed the departure of the team leader who was substituted by a CILC candidate who made a magnificent effort to reorganize the project. Several CILC experts conducted training seminars for Palestinian judges and public prosecutors. Moreover, a Dutch expert presided over a Working



The Darulaman Palace in Kabul, built in the 1920s by former Afghan King Amanullah Khan

Group on drafting Administrative Law. Support was provided in several workshops on the upgrading and enhancing of the Judicial Institute. After a rather difficult start, in 2008 the Seyada project delivered a range of long expected results which were wholeheartedly welcomed by the Palestinians.

Supported by the European Commission

The total budget is € 3,760,402

A brief Study of the Public Prosecution Service and the Police in the Palestinian Territories

CILC has been requested to carry out a study of criminal justice in the Palestinian Territories. After establishing the aim and the scope of the study, it was agreed to concentrate on the Public Prosecution Service, the police and the cooperation between them. In this respect, CILC made three visits to the Palestinian Territories and met with all the stakeholders including the Ministers of Justice and Home Affairs, the Chief Justice and the Attorney General. CILC's team also visited different Public Prosecution District offices, Police stations, courts, the Bar Association and on various occasions the Office

of the Attorney General. Because this issue lies at the heart of the actual overall reform of criminal justice in the Palestinian Territories, intensive cooperation is also taking place with other international donors, particularly Justice Canada, EU POL Rule of Law Mission and ECTAO. In November, CILC shared its study, conclusions, recommendations as well as ideas for future interventions during a meeting with the international donors and the Palestinian stakeholders. CILC recommended, inter alia, making the selection and appointment procedure for public prosecutors transparent and objective so as to guarantee the initial and continuous training of both prosecutors and their staff, upgrading case management and improving cooperation between the public prosecution service and the police in the field of crime scene and pre-trial investigations.

Supported by the Dutch Representative Office in Ramallah

The total budget is € 124,144

Sub-Saharan Africa



ETHIOPIA

Supporting the law faculties of Bahir Dar and Jimma

The Ethiopian law faculties of Bahir Dar and Jimma are in need of assistance for the upgrading of their teaching staff to LL.M. (master of laws) level, and to revise the curriculum and teaching methodology. A smaller component is aiming for the improvement of teaching facilities. Utrecht University is the lead partner in the project. CILC's involvement focuses on the inception and concluding phases. The project builds on the final report, published in March 2005, of CILC's baseline study for Ethiopia's Justice System Reform Programme consisting of recommendations on law making and law revision, the judiciary, the public prosecution service, the police, prisons and legal education.

Supported by NUFFIC

The total budget is € 950,000

CILC Sub-Saharan Africa team



- *Senior project manager Servaas Feiertag* LL.M. from the University of Amsterdam, fluent in Dutch, English, French and German, substantial working experience in the USA, the United Kingdom, Germany.



- *Project manager Marja Lenssen* MA in human geography at the University of Utrecht; fluent in Dutch, English, French, German and Spanish; wide experience in managing legal and judicial change projects in developing countries, amongst others in Mali, Ethiopia, Indonesia, Yemen and China.



- *Long-term expert Roelof Haveman* PhD in Law; fluent in Dutch, English and French; extensive working experience as an Associate Professor in international and supranational criminal law and criminal procedure at Leiden University and the Grotius Centre for International Legal Studies. Team member until May.



- *Assistant project manager Ingrid de Haer* Bachelor's degree in Economics and Management (HEAO); fluent in Dutch, English and French; working experience as a senior relocation consultant at Voerman International. Team member from May onwards.



- *Assistant project manager Adeline Tibakweitira* studied law at the University of Dar es Salaam, Tanzania, LL.M. in business and trade law at the Erasmus University Rotterdam; fluent in Swahili, English and Dutch.



- *Assistant project manager Tamara van Vliet* MA at the University of Amsterdam in International relations and a bachelor's degree in law; fluent in Dutch, English and French; working experience in an international organization. Team member until June.

Combating Corruption

The project was implemented from December 2007 until February 2008, together with the Institute for Social Studies in The Hague. The three-month work programme was utilized for training sessions and a closing conference. The aim of the project was to provide capacity-building training for the four main departments of the Federal Ethics and Anti-corruption Commission (FEAC) in Ethiopia. The objectives of the FEAC are; a) to create an aware society where corruption will neither be condoned nor tolerated, b) to create and promote integrity and to prevent corruption in public services and institutions, and c) to expose, investigate and prosecute corruption offences. The FEAC has made a great deal of progress over the last six years, but will still need to have its capacities enhanced so as to continue to fulfil its duties and powers. The training has enabled the FEAC to strengthen these capabilities. The project was based on a needs assessment which was carried out in close cooperation with FEAC in September 2007.

Supported by NUFFIC.

The total budget is € 148,133



MALI

Access to Justice for the Poor

This project by Mali's Ministry for the Promotion of Women, Children and the Family supports the training of paralegal personnel by NGOs and the provision of legal assistance to vulnerable groups.

Ms Adeline Tibakweitira, Assistant Project Manager at CILC

"I began working with CILC in 2005. Initially I was appointed as an intern/volunteer for a period of almost a year. The opportunity and exposure given by CILC at that time was very crucial for my personal development and experience. It introduced me for the first time to the Dutch working environment and the project management profession.

I come from Tanzania, where I studied law at the university and worked as a legal officer. Upon my arrival in the Netherlands in August 2003, I first followed the Dutch Integration Programme for one year. However, while learning about the Dutch language and culture, I was losing my work experience day by day. Therefore I was very happy to have gained the opportunity to put my experience into practice at CILC although I needed some time to learn new skills in administrative and logistic work. I am glad that through the cooperation and assistance offered by colleagues, experts and partners, I managed to improve my skills and enjoyed my work as the days passed by.

Over the years, I have learnt to appreciate the work I do and the small contribution that I can make to strengthening the rule of law in developing countries in which we work

closely together with partners and experts.

I have seen in some countries how our projects have made a difference in reshaping their legal systems, how we have transformed the judiciaries in these countries and how we have enhanced the capacities of their legal institutions.



Indeed, the above achievement has not taken place on its own. The underlying success can be associated with the long international experience of CILC's employees and experts and their commitment and sacrifice in travelling and organizing training programmes and workshops in beneficiary countries. I appreciate their understanding and accommodation of different cultures and backgrounds. Through travelling, they have always brought something back, a new experience and a different perception. Due to a great deal of travelling during 2008, however, on some occasions it was very difficult to plan a meeting in which every employee could attend as some of them were on missions. Hence our agendas had to be planned months in advance. Notwithstanding this limitation, we have still acquired a couple of projects together. We have closed the year with new hope that there will be work for everyone in 2009. And that was a very important achievement so far."

Paralegal personnel will be trained and certified in accordance with the new national training programme. The three-year project began in May 2006 and is being financed by the Japanese government through the World Bank. The ministry contracted a CILC key expert as a special consultant to finalize the contracts between the ministry and the Malian NGOs, to define the database of results to be achieved, to help develop training materials, to conduct training activities and to evaluate the overall programme. In 2007, the participating NGOs provided mediation and legal assistance to the poor.

Supported by the World Bank. The total budget is € 49,900.



MAURITANIA

Access to Justice for the Poor

In 2006, the World Bank asked a CILC consultant and an expert from the Bank to design a paralegal training project in Mauritania, and they undertook a mission to the country in October of that year. Like the project “Access to Justice for the Poor in Mali,” which is also funded through the Bank by Japan, the Mauritania project addresses the urgent need to develop paralegal services in rural areas. A national training programme will be prepared and implemented. Project activities have been postponed, however, due to a presidential election in March 2007 and changes within the project, followed by a military coup in August 2008.

Supported by the World Bank

The total budget is USD 49,900



RWANDA

Strengthening the Law Faculties of the Universities in Kigali and Butare

CILC provides assistance to the law faculties of the Université Libre de Kigali (ULK) and the Université Nationale du Rwanda (UNR) in four areas: curriculum development (revision of

the LL.B. (bachelor of laws) curriculum and the development of specialized courses for professionals); staff development (training in student-centred teaching, certificate courses, and support for graduate study abroad); infrastructural development (expanding libraries and computer facilities); and strategy development (the training of management and administrative staff). In Rwanda, the project is coordinated by a local project manager. CILC’s project partner is Utrecht University. Strengthening staff capacities and improving bachelor courses contribute to a higher quality of law education as relevant to the needs in post-conflict Rwanda.

In the first years, the accent was mainly put on investments in infrastructure such as computer labs and library books, as well as staff development. There was also a management study trip to the Netherlands. By the end of 2008, 12 Rwandese lecturers had successfully completed their LL.M. at universities in Rwanda, South Africa, and Utrecht. Another 7 Rwandese lecturers are carrying out their PhD studies in Ireland, France and Utrecht. A variety of law topics are dealt with. Since October 2008 the curriculum development component is now in full swing, with Dutch experts visiting Rwanda regularly to address one or two bachelor courses at a time and Rwandese lecturers visiting the Netherlands in return in order to develop teaching materials. This working method has turned out to be very effective. For 2009, CILC will apply for a half-year budget neutral extension in order to develop and implement the majority of the courses.

Supported by NUFFIC

The total budget is € 2,500,000

Supporting the National Institute for Legal Practice and Development (ILPD)

A major reform of the legal sector in Rwanda is taking place with the aim being to increase performance in the sector guided by new structures, procedures and better qualified people involved in the justice system. With regard to these qualifications, the current study programmes at Rwanda’s universities may offer their students the required knowledge, but they do not offer them opportunities for developing the full competencies required for the different functions in the

judicial practice in the present reality of the country. The law of April 2006 has filled this gap by creating the National Institute for Legal Practice and Development (ILPD).

With Nuffic/NPT funding the MDF Training & Consultancy and CILC consortium is providing ILPD with assistance in developing its Organisation Development Plan, strengthening the senior management, in setting up a competency-based HRM system, an effective financial system and efficient and effective operational systems such as for Monitoring & Evaluation of ILPD services. CILC provides advisory services for assuring the proper management and delivery of ILPD judicial training activities. Although not all vacancies have yet been fulfilled at ILPD, staff were able to develop a curriculum for training and conducting a first training programme in 2008. The first graduates will leave the ILPD in May 2009.

Supported by NUFFIC

The total budget is € 529,776



SENEGAL

Supporting the Trial of Hissène Habré

In 2006, the African Union mandated Senegal to prosecute the former Chadian President Hissène Habré for crimes against humanity. Since his overthrow in 1990, Habré has lived in exile in Senegal. The European Union is assisting Senegal's preparations for the trial. The Dutch government contracted CILC to provide one of the experts for an identification mission to Senegal in January 2008 to assess appropriate EU support. That support should also be aimed at strengthening the country's judicial system overall. So far, however, Senegal has not prosecuted or handed over Habré and is not willing to bear the extensive costs of a trial although several European countries have promised financial support.

Supported by the Dutch Ministry of Foreign Affairs

The total budget is € 28,316



UGANDA

Supporting training institutions for police and prison personnel

The four-year Nuffic/NPT-funded project is aimed at improving the training programmes run by the Uganda Prison Service (UPS) and the Uganda Police Force (UPF). CILC and the Dutch Police Academy (NPA) are carrying out the project up to May 2009 together with the consortium leader Hogeschool Leiden, a Dutch university for applied sciences. Trainers from the Dutch National Agency of Correctional Institutions (DJI) are also involved. The beneficiaries are a prison academy, two police academies, and the training and human resources development departments of the UPS and UPF.

In 2008 the project concentrated on curriculum development and the writing of manuals. Furthermore, there were capacity-building activities both in educational and didactical themes. Some staff development workshops on communication and leadership, curriculum design, student assessment and training of trainers programmes also took place. Moreover, besides the management training for UPS and UPF senior managers, the project has successfully invested in the setting up of infrastructural facilities at the training schools and stimulating joint cooperation between UPS and UPF through workshops and continuous regular meetings.

Supported by NUFFIC

The total budget is € 1,399,964

Support for the Law Development Centre (LDC) in Kampala

CILC and its partner, Utrecht University, is carrying out a four-year project, financed by the Nuffic/NPT programme, to enhance the institutional capacity, staff competence, curricula and teaching infrastructure of Uganda's Law Development Centre (LDC). The project also seeks to improve co-ordination between the LDC, other legal education institutions, and further stakeholders, and to initiate strategic discussions on legal education reform in Uganda. The project started in 2007 with a review of the Ugandan legal education by two Ugandan and one Dutch professor, 15 years after the famous legal education

review by Chief Justice Odoki and his team. The Legal Education Review (LER) report will be discussed in an extended Stakeholders Workshop at the beginning of 2009. Recommendations by the LER committee and the stakeholders will provide direction for further developments within the LDC and other organisations involved in legal education in Uganda.

Supported by NUFFIC

The total budget is € 1,600,000

Institution and capacity building of the Judicial Studies Institute in Kampala

In December 2008, Nuffic gave the green light for the Judicial Studies Institute (JSI) project that aims at the capacity strengthening of judicial officers and staff in Uganda. JSI was established in 2004 as part of the Judiciary but is now seeking to formalize its legal status. Previously, a training institution for magistrates and judges did not exist in Uganda so extensive support through initial and continuous training was not available.

CILC is leading a Dutch consortium further consisting of the MDF management consultancy in Ede and Utrecht Law School. The project will last for three years (2009-2012). The focus is on curriculum and education development, including technical infrastructure, the strengthening of internal management, a formalized legal status for JSI and the initiation of research based on judicial practice. The project's inception phase will start in February 2009.

Supported by NUFFIC

The total budget is € 1,500,000

Ms Vastina Nsanze **Rector of the Institute of Legal Practice and Development (ILPD) in Nyanza, Rwanda.**

"The ILPD has been working together with CILC since the tender phase of the project in November 2007, but I already knew about CILC before then. I was acquainted with Roelof Haveman, the present vice-rector of ILPD, who previously worked as a long-term resident expert for CILC in Uganda and I was also aware of two other CILC projects, the Law Faculties project in Rwanda and the Law Development Centre project in Uganda.

CILC really helps us to fulfil our objectives, which are strengthening the enhancement of the rule of law and good governance in the justice sector through training legal professionals and staff. As I see it, the difference between the consortium partners MDF and CILC is, for example, that MDF provides for staff training whereas CILC is strong in organizing this training. Moreover, CILC keeps an eye on the quality of academic standards.

2008 was an important year for us. Short courses were organized for the justice sector; a first

group of 33 postgraduates went through the intake, coming from the judiciary, the national prosecution authority, and the bar association. They finished their training in December 2008 and returned to their workplaces for internships. This first group will graduate in May 2009 after having finished their thesis.

Our focus is on legal skills since we presume that legal knowledge has already been obtained at the university. I really hope that the trainees are now doing better with the skills developed at ILPD, so that judges draft judgments in a more professional way and that court cases are dealt with more quickly, that the prosecutors work more efficiently, and that the lawyers have improved their pleading, negotiation and interviewing skills.

When I think about 'CILC in motion', my first association is very literal and directed towards CILC staff: you are very welcome to visit ILPD at Nyanza more often! When you meet on a regular basis, it is easier to discuss things."



Asia



INDONESIA

Supporting the training in legislative drafting

In the framework of the revived Indonesia–Netherlands bilateral cooperation, the Legislative Council (Baleg) of the Indonesian House of Representatives (DPR) submitted an initial proposal in April 2007 requesting the Netherlands to assist in strengthening their capacity in legislative drafting.

Instead of the first foreseen large-scale programme, a pilot project proved to be more accurate at the time and was granted by the Ministry of Justice to support the training in legislative drafting for the permanent staff of Baleg and for the Directorate General for Law and Legislation of the Ministry of Justice. This one-year programme aims to train 30 permanent staff of the said institutions and at the same time to prepare a manual on legislative drafting and to stimulate dialogue between the Netherlands and Indonesia in the respective field. During a preparatory mission to Indonesia in 2008 the identification of key players for the implementation of the project activities took place as part of the initial preparations for the training programme. The first training session is foreseen in May 2009.

*Supported by the Dutch Ministry of Justice
The total budget is € 144,034*



CILC Asia team



- *Senior project manager Servaas Feiertag* LL.M. from the University of Amsterdam, fluent in Dutch, English, French and German, substantial working experience in the USA, the United Kingdom, Germany.



- *Senior project manager Eric Vincken* MA in Russian studies specializing in Soviet and Russian law; fluent in German, English and Russian; extensive working experience in the former Soviet Union, Vietnam, Indonesia, Central Europe and the Balkans, including a three-year stay in Moldova



- *Assistant project manager Adeline Tibakweitira* studied law at the University of Dar es Salaam, Tanzania, LL.M. in business and trade law at the Erasmus University Rotterdam; fluent in Swahili, English and Dutch.

Non-regional legal cooperation

Assistance in the executive search for legal experts

Since 2005 CILC has been a member of a large consortium led by the Brussels-based IBF International Consultancy for a European Commission (EC) framework contract to provide expertise to beneficiary countries in the area of culture, governance and home affairs (Lot 7). The sector also includes rule of law and judicial reform activities. The contract that was initially set for 2007 was prolonged until 2009. The framework contract is a facility which enables the EC's external assistance programme, EuropeAid, to rapidly mobilize experts for short or medium-term missions around the world. For each assignment, three consortia compete to propose the best team of experts under the best conditions within a tight schedule.

CILC non-regional cooperation team



- *Senior project manager Abdeljalil Taktak* MA in international law and magistratura at the Pushkin Institute of the Moscow State University; fluent in Arabic, Dutch, French, English and Russian; international experience in Africa, the Middle East and Eastern Europe.



- *Assistant project manager Adeline Tibakweitira* studied law at the University of Dar es Salaam, Tanzania, LL.M. in business and trade law at the Erasmus University Rotterdam; fluent in Swahili, English and Dutch.



- *Assistant project manager Tamara van Vliet* MA at the University of Amsterdam in International relations and a bachelor's degree in law; fluent in Dutch, English and French; working experience in an international organization. Team member until June.

Since July 2006, CILC has been successful in accomplishing one mission for an expert and a project manager to prepare a twinning fiche for a future EC project for the Moldovan Parliament. In 2008 no opportunities for CILC emerged. It has been decided to conclude the CILC involvement in this framework; there is not a good balance between input and output and participation in Lot 7 generates possible competition with other EU tender procedures.

Translation of Dutch legislation

CILC, supported by the Dutch Ministry of Justice, has designed a small pilot project to establish a quality control procedure for the English translation of Dutch laws. Translation guidelines have been developed that are currently being applied in the translation of the Dutch General Administrative Law Act into English. The translation is still ongoing and a report on the findings of the project and recommendations for the translation and publication of legal texts is being prepared.

Supported by the Dutch Ministry of Justice.

The total budget is € 50,000

Consultancy Guyana

A training needs assessment for the Judges and Magistrates Co-operative of the Republic of Guyana was executed by CILC as part of the Modernization of Justice Administration System (MJAS) program that seeks to modernize the justice sector in Guyana. The purpose of this subcomponent is to improve the quality, efficiency and efficacy of service delivery in the justice sector institutions in Guyana by strengthening governance and accountability, building institutional capacity, streamlining legal procedures and modernizing administrative assistance. The assessment has demonstrated that the following areas should be addressed: technical knowledge and application of substantive and procedural laws, legal and management skills, entry orientation and promotional modules for magistrates and special courses e.g. IT skills training.

Supported by the Inter-American Development Bank

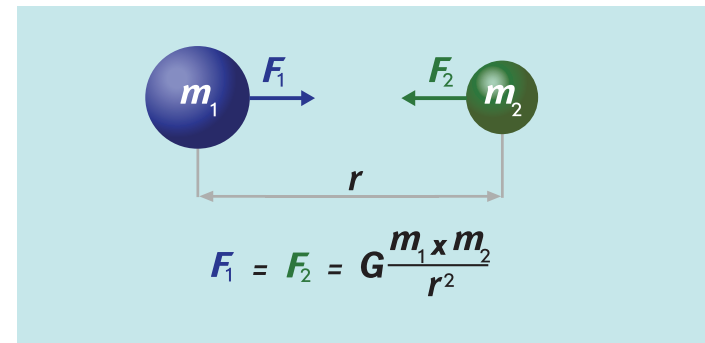
The total budget is USD 12,627

A look ahead

CILC is moving in and with a continuous changing international environment. The globalization will continue and the international interdependence between states and non-state actors will be strengthened. It will affect national societies more deeply and more widely, and with it the rule of law. The recognition of the importance of the rule of law has grown in recent years and it is now generally accepted that there is a strong relationship between social and economic development and the state of the rule of law. New paradigms are being developed around legal empowerment and access to justice. Meanwhile, the traditional north/south relationship is changing into a much more complex north/south/south exchange. Moreover, private funds, alongside the traditional (inter)national governmental donor community, have taken an increasingly important place in the donor world. It is crucial that CILC addresses these developments in order to support the rule of law adequately. Moreover, as a Dutch-based international legal organization CILC has a special commitment to the rule of law since the promotion of the international rule of law is incorporated in the Dutch Constitution.

In 2009 the CILC motion of 2008 will be continued and if possible accelerated. The focus on CILC's identity and the broadening of its financial basis will be given hands and feet. The focus will be both conventional and unconventional. CILC will maintain its non-profit independent character and will foster its network of committed experts, donors and partner organizations. Existing relationships need to be strengthened since they are the building blocks for future projects and activities. In practice, this means that CILC will concentrate on the already existing partner network in the countries in which it has established long-lasting relationships. Meanwhile, new

opportunities will be sought in countries or regions with a Dutch legal background (Surinam, the Dutch Antilles, Aruba) and in so-called fragile states (Palestine, Afghanistan, the Great Lakes District, Kosovo and possibly Sudan). Moreover, CILC will work on the professionalization and innovation of its demand-driven working methods. At the same time extra efforts will be made in fundraising where both public and private funds will be addressed. CILC attaches much importance to cooperation, complementarity and a transparent working style. The CILC website will be updated and the great diversity of national and international CILC networks will be brought together in different forms and varieties in order to maximize their added value to the development of the (inter)national rule of law, the promotion of human rights and good governance. Also in 2009 CILC will abide by the laws of attraction: committed and communicative.



The mechanisms of Newton's law of universal gravitation

Appendix I

Executive Board

Dr M. Oosting (Council of State), Chairman
S. I. H. Gosses (former Dutch Ambassador to Poland and Turkey)
A. IJzerman (Dutch Ministry of Justice)
Judge R. H. M. Jansen (Dutch Training and Study Centre for the Judiciary)
W. H. A. M. van den Muijsenbergh (Loyens & Loeff)
Prof. J. M. Otto (Van Vollenhoven Institute for Law, Governance and Development)
J. B. Steevens (Erasmus School of Law)

Board of Trustees

Erasmus School of Law, Rotterdam
Prof. M. A. Loth [until December]

Groningen University Law Faculty
C. H. M. Bartelds

Leiden University Law Faculty
Prof. C. J. J. M. Stolker

Maastricht University Law Faculty
Prof. J. H. M. van Erp

Radboud University Nijmegen Law Faculty
Prof. P. J. P. Tak [until December]

Utrecht University Law Faculty
Prof. A. M. Hol

Vrije Universiteit Amsterdam Law Faculty
Prof. A. Oskamp

Council for the Judiciary
Judge E. A. Maan, Chairman [until June]
Judge J.J.I. Verburg, Chairman [as of June]

Dutch Association for the Judiciary
Judge J. Westhoff [until December]

Board of Prosecutors General
H. J. Bolhaar [until December]
M.C.W.M. van Nimwegen [as of December]

Netherlands Bar Association
A. C. M. J. van Eekelen

Netherlands Company Lawyers' Association (NGB)
P. C. de Jonge

Netherlands Mediation Institute (NMI)
D. de Snoo

Royal Netherlands Notarial Organization (KNB)
J. W. A. Schenk [until December]

Royal Dutch Organization of Court Bailiffs (KBvG)
A. C. C. M. Uitdehaag

T. M. C. Asser Institute for Private and Public International Law
Prof. F. A. Nelissen

Netherlands Helsinki Committee (NHC)
Prof. E. A. Alkema

Institute for East European Law and Russian Studies, Leiden University
Prof. F. J. M. Feldbrugge

The Hague Institute for the Internationalisation of Law (HiIL)
Dr A. S. Muller

Appendix II

Staff

DIRECTOR

Marie José Alting von Geusau (as of May)
Kees Kouwenaar (until April)

PROJECT MANAGERS

Servaas Feiertag
Roelof Haveman, long-term expert (until May)
Anne-Marie Heemskerk (until April)
Marja Lenssen
Abdeljalil Taktak
Eric Vincken

ASSISTANT PROJECT MANAGERS

Ingrid de Haer (as of May)
Dilia Ham (until February)
Hilde Morre (as of May)
Adeline Tibakweitira
Tamara van Vliet (until June)

FREELANCE PROJECT MANAGERS

Ahmad Popal (as of December)
Ko Winters † (March until June)

FINANCIAL ADMINISTRATION

Alenka Bajc
Lenie van Rooijen
Albert van Rijn
Jakkus van der Salm (as of December)
Ewout Sutorius (until April)

SECRETARIAT

Annemarie Woudstra

INTERNS

Ghizlane Rabhi (as of November)

Appendix III

Project partners

AFGHANISTAN

Ministry of Foreign Affairs

ALBANIA

Euralius II Mission

Ministry of Justice, Department for Enforcement

AUSTRIA

Human Dynamics

AZERBAIJAN

Academy of Public Administration

Azerbaijani Parliament, Administrative and Military

Legislation Department

Azerbaijan Young Lawyers' Union (AYLU)

BELGIUM

IBF Consulting

BOSNIA-HERZEGOVINA

Center for Judicial and Prosecutorial Training of FBiH

High Judicial and Prosecutorial Council

BULGARIA

Bulgarian Chamber of Private Enforcement

Ministry of Justice

Project Space

CHINA

China University of Political Science and Law

CROATIA

Croatian Association of Mediators

Croatian Employers' Association (CEA)

Croatian trade unions

Government Office for Social Partnership (GOSP)

Inter-University Center

Ministry of Economy, Labour and Entrepreneurship

Ministry of Justice

ETHIOPIA

Bahir Dar University

Federal Ethics and Anti-Corruption Commission (FEAC)

Jimma University

FRANCE

École Nationale de la Magistrature (ENM)(National School
for Judges and Prosecutors)

Institut International pour les Études Comparatives (IIPEC)

International Union of Judicial Officers (UIHJ)

GEORGIA

Association of Young Economists of Georgia (AYEG)

Georgian Health Law and Bioethics Society

Georgian Young Lawyers' Association (GYLA)

Global Initiative on Psychiatry, Tbilisi office

Ministry of Justice

Training Centre of Justice of Georgia

GERMANY

Deutsche Gesellschaft für Technische Zusammenarbeit
GmbH (GTZ) (German Agency for Technical Cooperation)
Deutsche Stiftung für Internationale Rechtliche
Zusammenarbeit (IRZ) (German Foundation for
International Legal Cooperation)
ICON Institute

INDONESIA

Centre for Indonesian Law & Policy Studies (PSHK)
House of Representatives (DPR)
Ministry of Law and Human Rights, Directorate-General of
Law and Legislation
Regional Representatives Council (DPD)

KOSOVO

Kosovo Judicial Institute
Ministry of Justice

MACEDONIA

Academy for Training of Judges and Prosecutors
Chamber of Enforcement Agents
DPK Consulting
Ministry of Justice

MALI

Association pour le Progrès et la Défense des Droits des
Femmes Maliennes (APDF)
Clinique Juridique DEME SO
Institut National de Formation Judiciaire (INFJ)
Ministry for the Promotion of Women, Children and the
Family
Observatoire des Droits de l'Enfant et de la Femme (ODEF)
Women in Law and Development in Africa (WiLDAF), Mali
office

MAURITANIA

Ministry of Justice

MONTENEGRO

Judicial Training Center
Ministry of Justice
Supreme Court of Montenegro

MOROCCO

American Bar Association (ABA), Rule of Law Initiative
(ROLI), Rabat
Institut Supérieur de la Magistrature
La Fédération des associations et unions de Jeunes Avocats
Marocains
Ministère de la Justice
Union de l'Action Féminine (UAF)

PALESTINIAN TERRITORIES

Attorney General's Office
Equity Legal Group (Lawyers' office)
Ministry of Justice
Palestinian Training Institute
Supreme Judicial Council

POLAND

Civil Law Codification Commission

RUSSIAN FEDERATION

Institute for Law and Public Policy (ILPP)
LegalStudies.RU
Public Interest Law Initiative (PILI), Moscow office
Research Centre for Private Law under the President of the
RF (RCPL)
Supreme Arbitration Court of the Russian Federation

RWANDA

Free University of Kigali (ULK)
National Institute of Legal Practice and Development (ILPD)
National University of Rwanda (UNR)

SERBIA

Judges' Association of Serbia
Judicial Training Center (JTC)
Ministry of Justice
Supreme Court

THE NETHERLANDS*

Academy for Legislation
European Academy for Legislation
Hogeschool Leiden
MDF Training & Consultancy
Microjustice

TURKEY

Ankara Bar Association
Court of Cassation
Justice Academy of Turkey
Ministry of Justice
Union of Bar Associations of Turkey

UGANDA

Judicial Studies Institute (JSI)
Justice Law and Order Sector Secretariat
Law Development Centre (LDC)
Uganda Police Force (UPF)
Uganda Prison Service (UPS)

UKRAINE

Academy of Advocates of Ukraine
Academy of Judges of Ukraine
Center for Judicial Studies
Council of Judges of Ukraine
Ministry of Justice
Supreme Court of Ukraine

UNITED STATES

DPK Consulting

** Dutch partner institutions that are also represented on CILC's Board of Trustees are listed in Appendix I.*

Appendix IV

Income statement 2008

	Realization 2008 €	Budget 2008 €	Realization 2007 €
Funding			
Project allowances	1,917,782		2,101,917
Other funding	26,111		14,112
Total funding	1,943,893	2,799,000	2,116,029
Costs			
Personnel costs	688,216	691,866	671,630
Overhead costs	111,306	119,200	106,673
Direct costs related to projects	1,109,689	2,044,087	1,412,306
Total costs	1,909,211	2,855,153	2,190,609
Result	34,682	-56,153	-74,580
The balance is mutated at - Contingency reserve	34,682	-56,153	-74,580

The 2008 result has improved in comparison with the 2008 budget and the realization in 2007. This is the fruition of a more effective utilization of CILC staff in various projects.

